

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CURTIS NIMMONS,

Plaintiff,

vs

9:03-CV-671

S. HOUGH, Officer; OFFICER HARTMAN;
and SERGEANT SILVER,

Defendants.

APPEARANCES:

CURTIS NIMMONS
Plaintiff, Pro Se
89-A-2623
Mohawk Correctional Facility
P.O. Box 8451
Rome, NY 13442

HON. ELIOT SPITZER
Attorney General of the
State of New York
Attorney for Defendants
Department of Law
The Capitol
Albany, NY 12224

DAVID N. HURD
United States District Judge

OF COUNSEL:

JEFFREY P. MANS, ESQ.
Asst. Attorney General

DECISION and ORDER

Plaintiff, Curtis Nimmons, brought this civil rights action pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated August 29, 2006, the Honorable George H. Lowe, United States Magistrate Judge, recommended that defendants' motion for summary judgment be granted. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Lowe, the Report-Recommendation is accepted and adopted in its entirety. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. The complaint is DISMISSED; and
3. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: October 16, 2006
Utica, New York.



United States District Judge